

The parties filed four motions for extension of time, three of which were granted. (Doc. Nos. 7, 8, 9, 10, 12, 13 14). The fourth and most recent motion for extension of time, was filed

on October 6, 2016, almost two months after the initial CIAC deadline. (Doc. No. 14). On October 13, 2016, Magistrate Judge Cayer denied the fourth motion for extension of time. (Doc. No. 15). On January 26, 2017, this Court issued an order directing Plaintiff to provide the Court with a CIAC within 14 days or the action would be dismissed for lack of prosecution. (Doc. No. 16). Yet, over two months after the CIAC was due under the most recent order and over eight months after the CIAC was due originally, no CIAC has been filed.

Federal Rule of Civil Procedure 41(b) provides as follows:

If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it. Unless the dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule—except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19—operates as an adjudication on the merits.

It is Plaintiff's burden to move this case forward, and Plaintiff has failed to do so.

The Court acknowledges Plaintiff's pro se status and his apparent desire to obtain counsel, but also notes that Plaintiff has been given more than ample opportunity to complete a simple a procedural task to move the case forward (and to retain counsel) and has repeatedly failed to do so.

IT IS, THEREFORE, ORDERED that all of Plaintiff's claims against Defendants are **DISMISSED**. The Clerk is directed to close this case.

Signed: April 12, 2017



Robert J. Conrad, Jr.
United States District Judge

